



1002 U.S. PTO

01-25-01

A

Practitioner's Docket No. 2096.01C

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

JCS29 U.S. PTO
09/768962
01/24/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Dave W. Gordon

For (title): THERMAL FOOT COVER

1. Type of Application

This transmittal is for a continuation application.

2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*
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37 C.F.R. Section 1.8(a)

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Date: 1/24/01

Marcia A. Snow

Signature

MARCIA A. SNOW
(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).

"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATION CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)
Application

31 Page(s) of Specification

13 Page(s) of Claims

6 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

4. Additional Papers Enclosed

Amendment to claims

Cancel in this applications claims 17-31 before calculating the filing fee.

Preliminary Amendment

5. Declaration or Oath

Enclosed

Executed by:

* inventor.

6. Inventorship Statement

The inventorship for all the claims in this application is the same.

7. Language

English

8. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

9. Small Entity Statement(s)

Status as small entity was claimed in prior application 09/235267, filed on January 22, 1999, from which benefit is being claimed for this application under 35 U.S.C. SECTION 120, and which status as a small entity is still proper and desired.

Filing Fee Calculation (50% of above) \$355.00

10. Fee Payment Being Made at This Time

Enclosed
Filing Fee \$355.00

Total Fees Enclosed \$355.00

11. Method of Payment of Fees

Check in the amount of \$355.00 is attached.

12. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 03-1127.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

13. Instructions as to Overpayment

Credit Account No. 03-1127.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

14. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation of copending application:

Application number 09/235,267 filed on January 22, 1999.

15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

16. Small Entity (37 C.F.R. Section 1.28(a))

Applicant has established small entity status by the filing of a statement in parent application 09/235267 on January 22, 1999.

17. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. Section 120.

Date: 1/24/01



Frank J. Catalano
Registration No. 25836
Frank J. Catalano, P.C.
810 S. Cincinnati, Suite 405
Tulsa, OK 74119
USA
918-5848787

U.S. Patent and Trademark Office
Washington, D.C. 20591
(703) 355-1400
http://www.uspto.gov

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Dave W. Gordon
 Filed: Herewith
 FOR: THERMAL FOOT COVER

Commissioner for Patents and Trademarks
 Washington, D.C. 20231

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MARCI A. SNOW
 TYPED OR PRINTED NAME OF PERSON MAILING

Marcia A. Snow
 SIGNATURE OF PERSON MAILING PAPER OR FEE

CORRESPONDENCE ADDRESS IN APPLICATION

Please send all correspondence for this application as follows:

810 S. Cincinnati, Suite 405
 Tulsa, OK 74119

Please direct telephone calls to:

918-584-8787

Date: 1/24/01

Frank J. Catalano
 Registration No. 25836
 Frank J. Catalano, P.C.
 810 S. Cincinnati, Suite 405
 Tulsa, OK 74119
 USA
 918-584-8787

CERTIFICATE OF MAILING/TRANSMISSION 37 C.F.R. Section 1.8(a)

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Signature

(type or print name of person certifying)

(Change of Attorney's Address in Application--page 1 of 2)

Date: _____